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**EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Serial No. 09/828,021

**PATENT**  
**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Inventor(s): John F. Astorino  
Filed: April 6, 2000  
Serial No.: 09/828,021  
Art Unit: 2644  
Examiner: Laura A. Grier  
Docket Number: 2000P07567US01  
Title: Automotive Active Noise Cancellation Stability Solution

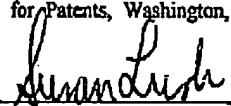
Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Certificate of Mailing Pursuant to 37 CFR § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail on the date indicated below in an envelope addressed to: The Assistant Commissioner for Patents, Washington, DC 20231

December 9, 2004

Date

  
Susan Lusk

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Applicants submit herewith patents, publications or other information (attached hereto and listed on the attached Form) of which they are aware, which they believe are relevant and may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR §1.56. The order of listing of the references on the attached form and appendix hereto is without regard for relative relevance to the present invention.

This Information Disclosure Statement:

- (a) ☐ accompanies the new patent application submitted herewith. 37 CFR §1.97(a).
- (b) ☐ is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR §1.491.
- (c) ☐ as far as is known to the undersigned, is filed before the mailing date of a first office action on the merits.

- d) ☒ is filed after the first office action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and is accompanied by either the fee set forth in 37 CFR §1.17(p) or a certification as specified in 37 CFR §1.97(e), as checked below.
- (e) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by the fee set forth in 37 CFR §1.17(i) and a certification as specified in 37 CFR §1.97(e), as checked below. **This document is to be considered as a petition requesting consideration of the Information Disclosure Statement.**

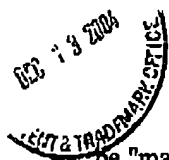
The undersigned certifies that:

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- ☐ Those patent(s) or publication(s) which are marked with an asterisk (\*) in the attached form are not supplied because they were previously cited by or submitted to the Office in a prior application Serial No. \_\_\_\_\_, filed \_\_\_\_\_ and relied upon in this application for an earlier filing date under 35 U.S.C. 120.

A concise explanation of relevance† of the items listed on the attached form:

- ☒ is not required.
- ☐ is given for each listed item in an appendix to this communication.
- ☐ appears in the body of the application.
- ☐ is given for non-English language listed item(s) [Required] and appears in an appendix to this communication.
- ☐ is in the form of an English language copy of a Search Report (copy attached) from a foreign patent office, issued in a counterpart application which refers to the relevant portions of the references.

† A "concise explanation of the relevance" of the submitted references "may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention," MPEP §609.



While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR §1.56, this statement does not constitute an admission that any patent, publication or other information referred to therein is "prior art" or material to this invention.

In accordance with 37 CFR §1.97, the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR §1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR §1.98 and MPEP §609. The Examiner is requested to fully consider each of these references and acknowledge such consideration by appropriately initialing the attached form and returning a copy to the address below. In addition, the Examiner is requested to conduct a thorough independent search in order to bring the best references available forward in this application.

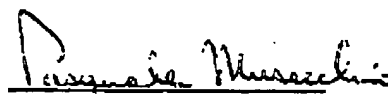
The fee required for this Information Disclosure Statement is calculated below:

Fee under 37 CFR §1.17(p)	(\$180)	\$ 180.00
Fee under 37 CFR §1.17(i)	(\$130)	\$
TOTAL		\$ 180.00

- ☐ A check for the above-required fees is enclosed.
- ☐ Please charge any and all fees required to process this information disclosure statement to my Deposit Account No. 19-2179. A duplicate copy of this authorization is enclosed.
- ☒ The commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to my Deposit Account No. 19-2179. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

Dated: December 9, 2004

  
Pasquale Musacchio  
Registration No. 36,876

Siemens Corporation  
Intellectual Property Department  
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**CARLSON, GASKEY & OLDS, P.C.****FACSIMILE COVER PAGE**

<b>Date:</b> May 10, 2006	<b>Time:</b>
<b>To:</b> Laura Grier	<b>For Information Call:</b> Theresa Palmateer (248) 988-8360
<b>Fax Number:</b> 1-571-273-7518	<b>At:</b> Carlson, Gaskey & Olds
<b>From:</b> Theresa Palmateer	<b>Fax Number:</b> (248) 988-8363
<b>Pages (including cover page):</b> 5	<b>Client Billing Number:</b> 60,427-236

Application Serial No. 09/828,021

Dear Ms. Grier:

As a follow-up to our telephone conversation of today, please be advised that we did not file an IDS on December 13, 2004. We did file a Supplemental Information Disclosure Statement on August 12, 2004. I have attached that document for your review.

If this is the incorrect document, please contact me.

Theresa Palmateer  
Assistant to Anthony P. Cho  
(248) 988-8694 (direct line)

*Laura,  
Here is the entire IDS filed 12-9-04.  
Theresa Palmateer*

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